

EUROPEAN PARLIAMENT

2004



2009

Session document

12.1.2007

B6-0247/2007

MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Vittorio Agnoletto, André Brie and Willy Meyer Pleite

on behalf of the GUE/NGL Group

on the imprisonment and trial in Libya of five Bulgarian nurses and a
Palestinian doctor on charges related to the 1999 HIV/AIDS case at the
Benghazi children's hospital

European Parliament resolution on the imprisonment and trial in Libya of five Bulgarian nurses and a Palestinian doctor on charges related to the 1999 HIV/AIDS case at the Benghazi children's hospital

The European Parliament,

- having regard to the General Affairs and External Relations Council's conclusions of 11 October 2004 expressing grave concern over the plight of the medics, its decision to provide assistance to the Libyan health services, the EU Presidency Statement on the decision of the Criminal Court in Libya sentencing to death five Bulgarian nurses and a Palestinian doctor, Commissioner Ferrero-Waldner's statement on the Libyan Court verdict of 19 December 2006 on the Benghazi case, and the statements of the President of the European Parliament of 30 November 2006 and 20 December 2006,
- having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas on 9 February 1999 the Libyan authorities detained a number of Bulgarian medics working at the 'Al-Fatih' hospital in Benghazi, and whereas on 7 February 2000 a trial against six Bulgarian nationals, one Palestinian and nine Libyans started at the Libyan People's Court on a charge of deliberately infecting 393 children with the HIV virus, with the conspiracy charge later being dropped,
- B. whereas on 6 May 2004 the court sentenced five Bulgarian nurses and a Palestinian doctor to death by firing squad; whereas on 25 December 2005 the Libyan Supreme Court delivered its decision on the appeal against the death sentence and ordered a new trial; whereas a new trial was held from 11 May 2006, which confirmed the death sentences on 19 December 2006,
- C. whereas in 2003, following a demand by the Libyan authorities, renowned international experts on HIV/AIDS provided a report which categorically concluded that the spread of the HIV virus was due to an in-hospital infection which had started before the arrival of the accused in Libya; whereas recent publications provide strong scientific evidence about the origin and timing of the Benghazi infection; whereas all this strong evidence of the innocence of the accused has been disregarded and not taken into account,
- D. whereas in November 2004 the EU launched an 'HIV Action Plan for Benghazi', which includes technical and medical assistance to the infected children and the affected families, as well as support for the Libyan authorities to combat the AIDS disease; whereas EUR 2 million from the Community budget have been provided to fund the plan; whereas the implementation of this Action Plan is well under way, with support from the Commission and from EU Member States; whereas a large number of the infected children have received treatment in hospitals in Member States,
- E. whereas in January 2006 a Benghazi International Fund was established as a non-profit,

non-governmental body created to help develop the local medical infrastructure in Benghazi, to improve the treatment of the patients and to provide assistance to the affected families,

1. Condemns the sentencing to death of five Bulgarian nurses, Kristiana Vulcheva, Nasya Nenova, Valentina Siropulo, Valya Cherveniyashka and Snezhana Dimitrova, and one Palestinian doctor, Ashraf al-Haiui, who have already spent eight years in prison in Libya in connection with the 1999 HIV/AIDS case at the Benghazi hospital;
2. Reiterates its firm and principled opposition to the death penalty world-wide, and to executions; calls on the Council to promote the abolition of the death penalty around the world and a moratorium on executions;
3. Notes that the EU cannot accept this verdict and trusts that the matter will now be referred to a higher authority with a view to finding a just and fair solution in a timely manner;
4. Reiterates its serious concern with regard to the basis on which the accused persons were prosecuted, their treatment while in custody and the lengthy delays in the process;
5. Invites the Libyan authorities concerned to take the necessary measures to review and annul the death sentence, and open the way to an early resolution of the case on a humanitarian basis, thus meeting the necessary prerequisites for the continuation of the common policy of engagement with Libya;
6. Calls on the Commission, the Council and the Member States to continue to provide assistance for the implementation of the HIV Action Plan and to support the Benghazi International Fund, in order to alleviate the suffering of the infected children and their families and to help the Libyan authorities to prevent and fight the spread of the HIV infection in the country;
7. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Government and Parliament of Libya, the Parliamentary Assembly of the Council of Europe and the Secretary-General of the United Nations.